

Docket No.: 210841US2SRD



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

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RE: Application Serial No.: 09/899,220

Applicants: Masahiro BABA et al.

Filing Date: July 6, 2001

For: DISPLAY METHOD FOR LIQUID CRYSTAL
DISPLAY DEVICE

Group Art Unit: 2673

Examiner: SHENG, T. V.

SIR:

Attached hereto for filing are the following papers:

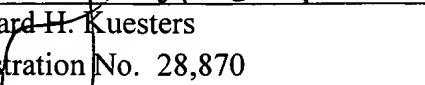
**PROVISIONAL ELECTION OF SPECIES
REQUEST FOR EXTENSION OF TIME (one month)**

Our credit card payment form in the amount of **\$120.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


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Registration No. 28,870


James D. Hamilton
Registration No. 28,421

Customer Number

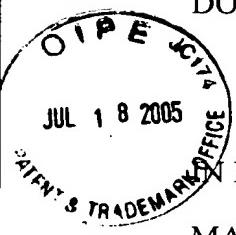
22850

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DOCKET NO: 210841US2SRD



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

MASAHIRO BABA ET AL.

: EXAMINER: SHENG, T. V.

SERIAL NO: 09/899,220

:

FILED: JULY 6, 2001

: GROUP ART UNIT: 2673

FOR: DISPLAY METHOD FOR LIQUID
CRYSTAL DISPLAY DEVICE

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PROVISIONAL ELECTION OF SPECIES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement mailed May 17, 2005, Applicants provisionally elect, with traverse, Species One, Figures 2-6, for examination on the merits in the present application. Claims 29, 30, 39, 40, 42, 43, and 44 are identified as readable on Species One.

Applicants respectfully traverse the Election of Species Requirement because the PTO has not carried forward its burden of proof to establish that searching and examining the claims corresponding to the noted figures would be an undue burden.

In particular, MPEP § 803 states:

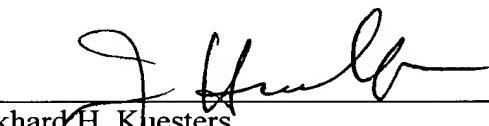
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

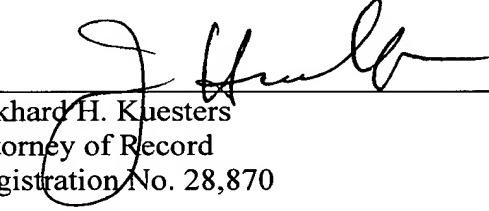
The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicants respectfully traverse the outstanding Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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